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REISSUE APPLICATION DECLARATION BY THE INVENTOR

**DOCKET NO.
1575.001**

Title: **Athletic Breast and Chest Protector**
Reissue Application Number: **09/244,374**

As a below named inventor, I hereby declare that:

My residence is 903 Blockade Lane, James Island, South Carolina 29412, that I am a citizen of the United States of America,

I believe myself to be the original, first and sole inventor of the invention described of the subject matter which is described and claimed in United States Letters Patent Number 5,769,688, granted June 23, 1998, and for which a reissue patent is sought on the invention entitled "Athletic Breast and Chest Protector", the application of which was filed on February 4, 1999, as reissue application number 09/244,374.

I have reviewed and understand the content of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☐ by reason of a defective specification or drawing.
- ☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.
- ☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

That such a device is not found in the prior art; the device as claimed in claims 1 through 4 of U.S. Patent 5,769,688 is further limited than my invention.

The error in claiming less than I had a right to claim in the original patent arose without any deceptive intention on my part. U.S. Patent No. 5,769,688 was prosecuted by a different attorney and firm than is named as my attorney herein, and I did not become aware of the apparent availability of broader claims until my subsequent consultation with counsel after my patent issued.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: B. Craig Killough, Registration Number 30,398. Address all telephone calls to B. Craig Killough at telephone number (843) 577-7700.

Address all correspondence to B. Craig Killough, 134 Meeting Street, Suite 300, Post Office Drawer H, Charleston, South Carolina 29401.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, or any patent issuing thereon, or any patent to which the declaration is directed.

Inventor's full name:
Post Office Address:

David L. Holliday
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James Island, South Carolina 29412


David L. Holliday
a Citizen of the United States

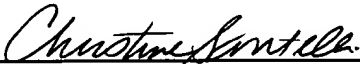
Dated: 10/23/02

Serial Number: 09/244,374
Art Unit: 3741



CERTIFICATE OF MAILING

I hereby certify that this Response to the Office Action dated July 24, 2000, along with the Declaration of David Holliday, are being deposited with the United States Postal Service, with sufficient postage attached thereto, in an envelope addressed to: Commissioner of Patents and Trademarks, Box Non-Fee Amendments, Washington, D.C. 20231, on this 24th day of October, 2000.



Christine Santelli, Secretary to B. CRAIG KILLOUGH
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